

**MINUTES OF THE CITY PLANNING COMMISSION
J. MARTIN GRIESEL ROOM**

July 23, 2004
9:00 A.M.

PRESENT: *Appointed Members:*

Don Mooney, Terry Hankner, Caleb Faux, Jim Tarbell, Jacquelyn McCray,
Valerie Lemmie

Community Development and Planning Staff:

Margaret Wuerstle, Virginia Vornhagen, Steve Briggs, Rodney Ringer, and
Katherine Keough-Jurs

Law Department:

Dotty Carman

CALL TO ORDER

Ms. Hankner called the meeting to order since Mr. Mooney had indicated that he would be arriving a few minutes late due to a previous commitment.

MINUTES

The Commissioners were asked for approval of the “minutes” of the June 18, 2004 meeting. However, Ms. Hankner pointed out a few errors and asked for a corrected copy to be submitted at the next meeting of the Planning Commission on July 30, 2004.

CONSENT ITEMS

MR. MOONEY ARRIVED AND CHAIRED THE REMAINDER OF THE MEETING.

ITEM #1 – An Agreement of Lease and Management Agreement with the Corporation for Findlay Market of Cincinnati.

ITEM #2 – Sale of Portions of Gabriel Avenue & adjoining Surplus Property, Vacant Land.

Motion: Ms. McCray moved approval of Consent Items

Second: Ms. Hankner

Vote: All ayes (6-0), motion carries.

DISCUSSION ITEMS

ITEM #3 – The designation of the “Marburg Square Urban Renewal” Plan Boundary.

The information presented by Edwards & Telley Engineers & Architects depicted a proposed boundary. Steve Briggs explained that approval of the proposed boundary is the first step in the urban renewal process and that later this year, possibly this summer, the plan will be submitted to the Planning Commission for review. The staff is recommending approval of this boundary so that the Urban Renewal Process can commence.

Motion: Mr. McCray moved approval.
Second: Ms. Hankner
Vote: All ayes (6-0), motion carries.

ITEM #4 – The review of a permit for interior renovation at 6121 Hamilton Avenue to convert from a retail use to an “Education Classroom and Administration Areas” in the community of College Hill Interim Development Control (IDC) District #65.

This proposal involves the renovation of the CVS site in College Hill at 6121 Hamilton Avenue and North Bend Road (IDC #65). Council approved an emergency IDC for this intersection in February of 2004. In May of this year the College Hill Forum and College Hill Community Urban Redevelopment Corporation requested this IDC along with the zoning study in January of this year, an extension of this IDC was approved until February 2005. The particular property under consideration is zoned CCM and would allow for some uses inconsistent with the 2002 Urban Renewal Plan and the Community Vision Plan. The CCM zone is currently being studied with a public meeting scheduled for next week. That study should be complete before the IDC expires.

The IDC process sets forth a series of guidelines that give the City Planning Commission the ability to review permits for projects proposed within an IDC. The subject property is a vacant CVS site. The new proposal is for a Life Skills Center, where 17-22 year olds would go to get their high school education (not a GED program). White Hat Management has applied for interior renovations for classrooms and administrative uses. This change of use triggers a view of the proposal by the Planning Commission.

The staff reviewed the proposal with its consistency with both current and future zoning designations. The school would be a permitted use under both zoning districts. The second item that needed attention was whether or not this use was in keeping with the plan. It is not in keeping with the plan. A tremendous amount of community input was received. White Hat Management visited the Forum meeting to explain their program. Many people were in attendance and most were against the White Hat Management program. City Council, in late June of this year, stated that they were opposed to this project and asked White Hat Management to find another location that would be more appropriate and leave this particular area available for a more retail-oriented use.

Staff recommends that you deny the permit for the interior renovation at 6121 Hamilton Avenue. Staff is still working with White Hat Management in order to help them find a more appropriate location for the site of the school.

Mr. Mooney called Mr. Marty Weldisoffer to speak on the proposal. Mr. Weldisoffer is President of the College Hill Community Urban Redevelopment Corporation, as well as a 16-year resident of College Hill. He reiterated that the Urban Redevelopment group applied for the IDC for that intersection in order to change the designation to CCP. Mr. Weldisoffer stated that the community was not opposed to the White Hat Management school idea, but rather its use of this particular location.

The Kroger Company and the National City Bank have financially committed \$20,000 to a marketing feasibility study which is now in its final stage. That study does concur with the community’s vision of mixed-use development as being the best use of the property at that intersection. Recently, City Council approved a preferred developer agreement between College Hill Community Urban Redevelopment Corporation and Shuller Properties. This is the first stage for the four-corner development.

The Streetscape plan, funded by the City of Cincinnati through Cincinnati Neighborhood Business Districts United (CNBDU) is one of the keystone projects in their Strategic Urban Design Plan and will begin construction August 1, 2004. The City has also funded a north and south Gateway for the business district.

An application for a façade improvement program for the business district was submitted to CNBDU and the project is number two in line for being funded. All of these efforts are focused on a pedestrian friendly revitalized business district. For these reasons CHCURC requests the Planning Commission to deny the Life Skills School at this location.

Ms. Lemmie verified that the community council wanted this particular project denied in order that a retail company would use the space for a more pedestrian friendly use. Mr. Weldisoffer responded they wanted a more mixed-use retail environment.

After Mr. Mooney asked the Commissioners if they had any further questions, he recused himself from voting because his firm represents the applicant in other matters.

Mr. Faux moved to accept the Staff Report and deny the application and Ms. McCray seconded the motion.

Motion: Mr. Faux moved approval.
Second: Ms. McCray
Abstention: Mr. Mooney
Vote: All ayes, motion carries.

ITEM #5 – Proposed re-zone request for 4212 River Road as a parcel identified as Book #160-0071-0002 from Kristine Lawson, owner.

Ms. Margaret Wuerstle explained that the subject property was re-zoned during the zoning code re-write process and that the owner of the property requested the Planning Department to begin the zoning amendment process to change it back to the original description. The applicant is requesting that the Planning Commission direct Staff to proceed with a zone change study and waive the \$300 fee.

Mr. Tarbell asked if there were a staff report on this item. Ms. Wuerstle said one had not yet been developed because this request was for the CPC to direct the Planning staff to proceed with the Report and Recommendation.

Ms. Wuerstle asked the Planning Commission to allow staff to proceed with the zone change studies and waive the \$300.00 fee when it is very clear that the recent City-wide zoning code re-write brought about the property owner's request. Mr. Mooney suggested putting such zone changes on the consent agenda.

Ms. Lemmie asked if the immediate community was aware of this re-zoning request. Ms. Wuerstle replied that only after the Planning Commission waives the \$300.00 fee could Planning staff proceed with a Report and Recommendation, which would include notification of the surrounding property owners as part of that procedure. Ms. Lemmie asked if the applicant had agreed to pay the \$300 fee, would the study process and notification already have begun. Ms. Wuerstle responded that yes, if the fee had been paid we would have already begun the study.

Mr. Mooney asked Ms. Wuerstle if City Council had recommended that the fee be waived on a re-zoning issue if it came about because of the recent City-wide re-zoning. Ms. Wuerstle said yes. A motion was made to waive the \$300 fee on this particular item.

Ms. McCray moved for approval and Ms Hankner gave a second. Ayes carry the motion.

Motion: Ms. McCray moved approval.
Second: Ms. Hankner, second
Vote: All ayes, motion carries.

Mr. Mooney asked if there were any other items or questions.

Ms. Wuerstle explained that it is up to the Commission to decide whether they want a public hearing with notification on the proposed the text amendments that will be before the CPC on August 27, all CPC members indicated that they wanted the public to be notified through the Community Councils.

Mr. Mooney said he would like to have input on the status of the plan for Fountain Square. Under the Charter the CPC has the authority over the location of monuments and he felt this would include their removal and/or relocation. If there were going to be an effort to move the Fountain, the CPC would have an obligation under the Charter to look at the relocation plans.

Ms. Lemmie responded that the move was an idea that was being floated. It has not been finalized nor has money been allocated. Mr. Mooney stated that sometime in the future he would like to see or hear any presentations on this issue. Perhaps in the Fall the Planning Commission could get some information.

Ms. Wuerstle reminded the Commission that there was a consensus that the Planning Commission would meet next week on July 30, 2004.

Mr. Mooney called Mrs. Kraus to speak. She brought to the attention of the Planning Commission that after she had spent quite a bit of time searching the Internet and City publications, she has not been able to find any listing of the Planning Commission's meeting dates. She asked if this could be rectified. Ms. Wuerstle responded that we do have a website available, but due to personnel changes within the Planning Department over the past six months, that new staff had not been trained to make these changes. Ms. Wuerstle stated that staff would rectify this situation.

Mr. Mooney suggested that we have a broadcast e-mail set up.

Mr. Mooney also notified Mrs. Kraus that next week on July 30, 2004 there would be a Commission meeting.

Ms. Carman (City solicitor) asked if the meeting was now adjourned. Mr. Mooney said yes.

ADJOURNMENT

With no further business to consider, the meeting was adjourned.

Margaret A. Wuerstle, AICP
Chief Planner
Department of Community
Development & Planning

Donald Mooney, Chair
City Planning Commission

Date: _____

Date: _____